

Gift of Head of the Lake
Historical Society
Hamilton By-laws, etc.
Board of Commissioners of Police.

BY-LAW

—ON—

CABS.



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BY-LAW ON CABS.

The Board of Commissioners of Police of the City of Hamilton, in pursuance of the powers in them vested, enacts as follows :

1. All By-laws now in force and which are inconsistent with the provisions in this By-law contained are hereby repealed.
2. It shall not be lawful for any person to use any Cab, Carriage, Sleigh, Omnibus or other vehicle for hire for the carriage of any passenger or passengers from one place to another within the said City, or to occupy with such vehicle any of the public Cab Stands in the City, without being licensed so to do as hereinafter provided.
3. This By-law shall not apply to owners of livery stables not occupying with their Cabs, Carriages, Sleighs or other vehicles any of the public Cab Stands of the City.
4. No license or transfer of license shall be granted or consented to under this By-law, except

upon petition by the applicant, or, in case of a transfer, by the transferee to the said Board of Commissioners of Police praying for the same, nor until the Board shall be satisfied that the applicant's or transferee's Cab, Carriage, Sleigh, Omnibus or other vehicle or vehicles, horse or horses, harness and other equipments are in a fit and proper condition, and are suitable for public use, and that the applicant or transferee is of the full age of twenty-one years, and is a fit and proper person to receive a license under this By-law.

5. The Clerk of the Police Commissioners shall, if the petition for a license be granted by the Board, issue a license to such applicant in the form "A" hereunto annexed, on production of a receipt from the City Treasurer of the license fee, and such license shall contain the number of the Cab, Carriage, Sleigh, Omnibus or other vehicle for which it is issued.

6. There shall be affixed inside every Cab, Carriage, Sleigh, Omnibus, or other vehicle, in a conspicuous place, a card on which shall be printed in plain, legible characters the number of the vehicle, name of the owner and tariff of rates, which cards shall be furnished by the Clerk of the Board from time to time as the same may be required.

7. It shall not be lawful for any person licensed

under this Act to use any number other than the one obtained from the said Clerk.

8. Any license issued under this By-law may, with the consent of the Board of Commissioners of Police, be transferred to any purchaser of the Cab, Carriage, Sleigh, Omnibus or other vehicle for which the license has been granted, and after such transfer and consent, the transferee of such license shall be deemed to be the person licensed thereby.

9. Every owner of more than one Cab, Carriage, Sleigh, Omnibus, or other vehicle, shall take out a separate license for each Cab, Carriage, Sleigh, Omnibus, or other vehicle, used by him for hire for the carriage of passengers from one place to another within the said city, but nothing herein contained shall prevent the owner of more than one of such vehicles from using the same at different times under one license, provided always, and it is hereby enacted, that such owner shall not use, or allow to be used, for hire for the carriage of a passenger or passengers within the City of Hamilton, at one and the same time, more than one of such vehicles under one license, and that each vehicle so used for hire shall have thereon the number contained in the license under which the vehicle is used.

10. The person in whose name the license is taken out for a Cab, Carriage, Sleigh, Omnibus, or other vehicle, or to whom such license shall have been

duly transferred, shall be considered as the owner of such Cab, Carriage, Sleigh, Omnibus, or other vehicle, for the purposes of this By-law.

11. Every owner obtaining a license under this By-law, who intends that his Cab, Carriage, Sleigh, Omnibus, or other vehicle, shall be driven by another person or persons, or who may at any time wish to employ a driver or drivers therefor, shall submit to the Board of Police Commissioners for approval the name or names of the person or persons he intends to employ as such driver or drivers; and no Cab, Carriage, Sleigh, Omnibus, or other vehicle, shall be driven by any person other than by an owner licensed to do so or by those who have permission from the said Board in writing so to do, which permission shall be endorsed upon the license under which such Cab, Carriage, Sleigh, Omnibus, or other vehicle, is used, and signed by the Clerk of the Police Commissioners. Provided always that the Board of Police Commissioners, may, whenever they shall deem it expedient, revoke said permission, and such permission shall be cancelled from the time the owner of the Cab, Carriage, Sleigh, Omnibus, or other vehicle, shall have received notice of such revocation.

12. Every Cab, Carriage, Sleigh, Omnibus, or other vehicle, for which a license has been granted under this By-law, must be kept reasonably clean,

dry and in good repair, with the harness, tackling and equipments used with the same, and the horses used therewith shall be fit and sufficient to do their work, and whenever the owner of any Cab, Carriage, Sleigh, Omnibus, or other vehicle, having a license for using the same under this By-law, receives notice, to be given to him or his driver, signed by the Clerk of the Board of Police Commissioners, under the authority of the Board, that such Cab, Carriage, Sleigh, Omnibus, or other vehicle, or any horse or harness or equipment belonging to the same, is not in reasonably fit condition for public use, or that such owner or driver has been guilty of misconduct towards any passenger in his Cab, Carriage, Sleigh, Omnibus, or other vehicle, or has otherwise misconducted himself as the owner or driver of such Cab, Carriage, Sleigh, Omnibus, or other vehicle, the owner shall appear before the Board of Police Commissioners, and if the charge be found proven, his license may thereupon be suspended by the Board, and if so suspended, it shall remain wholly inoperative until the said owner shall have obtained a certificate from the Clerk of the said Commissioners that such suspension has been removed by the Board and that his license is again in full force.

13. Every owner licensed or applying for a license or for a consent to a transfer of license under this

By-law shall, when required by the Commissioners, submit his Cab, Carriage, Sleigh, Omnibus, or other vehicles, and his horses and harness and other equipments, for the inspection of the Chief Constable, or such person or persons as the Board may appoint for the purpose, both before and during the continuance of his license, and no owner or driver shall at any time when his Cab, Carriage, Sleigh, Omnibus, or other vehicle, is not employed, prevent or hinder the said Chief Constable, or other person or persons authorized as aforesaid, from entering his Cab, Carriage, Sleigh, Omnibus, or other vehicle, or his yard, stable or shed, for the purpose of making such inspection.

14. The said Clerk shall keep a register of the name and residence of each person licensed, and of the number of his Cab, Carriage, Sleigh, Omnibus, or other vehicle, with the amount paid by each person, and the date at which the same was paid. The said Clerk shall also keep a register of each person to whom permission has been granted to drive a Cab, Carriage, Sleigh, Omnibus, or other vehicle.

15. No driver of any vehicle licensed under this By-law shall ask, demand or receive more than the Tariff rates fixed by this By-law.

16. Every license shall be in force from the date thereof until the first day of November following, unless cancelled or suspended, and every license

issued on or since the first day of November last, under the By-law on Cabs then in force, and which was not cancelled or suspended under said By-law, shall have the same force and effect as if issued under this By-law, and shall be in force until the first day of November next, unless cancelled or suspended under this By-law.

17. Each applicant before receiving a license shall pay to the City Treasurer the fee hereinafter required, namely:

For each Omnibus drawn by two or more horses.....	\$8 00
For each Cab, Carriage, Sleigh, or other vehicle, not being an Omnibus, drawn by one or more horses,.....	6 00

18. Whenever a transfer of a license has been made by the licensee and assented to by the Board, the Clerk shall enter such transfer in his register of licenses, and endorse on the license a memorandum that the Board has assented to the transfer.

19. Each person licensed shall provide himself with two lamps, one on each side of his Cab, Carriage, Sleigh, Omnibus, or other vehicle, with the number of such vehicle painted in red on the side glasses in two-inch figures, and upon which no other number or word shall be used, and when the vehicle is used at night he shall keep a good light in each of

the said lamps, whether on the stand or on the public streets; and the word "night" in this clause shall be understood to mean "after sunset."

20. No driver of any vehicle under this By-law shall abuse or ill-treat his horse or horses, or wantonly or unnecessarily snap his whip, or use obscene, abusive or impertinent language in any public place or in the hearing of any passenger, or solicit any person to take or use his vehicle, but the party wishing to use or engage such vehicle shall be allowed to choose without interruption.

21. Each driver shall remain sufficiently near his horse or horses to have perfect control of the same at all times.

22. Every person licensed under this By-law to use for hire a Cab, Carriage, Sleigh, or other vehicle, not being an Omnibus, shall, through himself or his driver, serve the first person requiring his Cab, Carriage, Sleigh or other vehicle, and if he pleaded that he has accepted a previous order, and therefore cannot take the present order, he shall, on demand, give the name of the person to whom he is so engaged, together with his residence and the hour, time and place of his appointment; but no driver shall be compelled to take any order if the party calling him owes him for previous fare, unless such fare shall first be paid.

23. No driver of any Cab, Carriage, Sleigh, Omnibus or other vehicle used for hire under this By-law, shall loiter about or shall gallop or drive at an unreasonable pace on the streets or at the railway station, or block up the road or access thereto, or the access to any place of public resort, or stop on any of the public crossings of the streets.

24. No owner or driver of any such Cab, Carriage, Sleigh, Omnibus, or other vehicle, shall employ or allow any runner or other person to assist or act in concert with him in obtaining or soliciting passengers at any of the stands or railway stations or elsewhere in the City.

25. Every driver of a Cab, Carriage, Sleigh, Omnibus, or other vehicle, for which a license has been granted under this By-law, shall, if requested, give his name, the name of the owner and number of the vehicle, and exhibit a copy of the Tariff authorized by this By-law, to any person having employed him, or offering to employ him, or to any one to whom injury may have been done by his horse or vehicle.

26. The charge for the conveyance of each passenger, from any place in the City to any other place in the City, shall be 25 cents.

~~27~~ The charge by the hour shall be \$1 an hour for carrying one, two, three or four persons, and in the same proportion for any fraction of an hour.

28. When a Cabman is ordered to call at the house for a passenger and is detained there for more than five minutes, he may charge at the rate of \$1 per hour, and in the same proportion for any fraction of an hour.

29. It shall be the duty of a driver of a Cab, Carriage, Sleigh, or other vehicle, before he drives any person or persons outside the limits of the City, to inform such person or persons that he or they are liable to a further and greater charge than fixed by Section 26 of this By-law, and state the amount of such charge; and if the point to which he drives such person or persons be not more than three miles beyond the City limits, the charge shall be at the rate of \$1 per hour, including the time necessary to enable the driver to return to the City limits, if dismissed beyond such limits.

30. No charge shall be made for any child under two years of age, and for children between two and twelve years half the Tariff rates shall be charged.

31. Each passenger shall be entitled to take with him or her his or her own hand baggage, free of charge, and for each trunk there shall be paid the sum of ten cents, but one trunk shall be carried free of charge, if there be more than one passenger.

32. Any person having engaged any Cab, Carriage, Sleigh, or other vehicle, who shall not detain the

same at his or her destination more than five minutes, shall be entitled to return in the same to the place of departure, or a similar distance in the same direction, without payment of additional fare. Provided that if such detention exceed five minutes and less than fifteen minutes, one-half of the original fare should be added as return fare, and if the detention be for more than fifteen minutes, the charge shall be at the rate of one dollar per hour, and in the same proportion for any fraction of an hour.

33. If any person calls a Cabman, and he leaves his place on the Cab stand, the party calling him and not employing him shall pay half of the lowest charge on the Tariff.

34. From seven to eleven o'clock in the evening, between the first day of October and the first day of May, and from nine to eleven o'clock in the evening between the first day of May and the first day of October, the charges shall be one-third more than the Tariff, and from eleven o'clock in the evening until six in the morning the charges shall be double the Tariff rates.

35. It shall and may be lawful for every owner or driver of any Cab, Carriage, Sleigh, Omnibus, or other vehicle, to demand prompt payment of the lawful fare or hire of the person hiring or using such vehicle, and every person refusing to pay such fare

forthwith, shall and may be fined as hereinafter provided.

36. It shall be the duty of the members of the Police Force to see that no person drives or uses for hire a Cab, Carriage, Sleigh, Omnibus, or other vehicle, for the carriage of passengers within the City of Hamilton, without having obtained a license to do so as hereinbefore required, also that the Tariff of rates and the number of the Cab, Carriage, Sleigh, Omnibus, or other vehicle, are affixed inside each vehicle, and to report immediately any omission, neglect or infraction of this By-law.

37. No driver of a Cab, Carriage, Sleigh, Omnibus, or other vehicle, shall knowingly carry as a passenger or allow to ride in or upon his vehicle any person who has the small-pox or any other infectious disease dangerous to the public health, or shall carry in his vehicle the remains of any person who has died from such infectious disease.

38. No person shall be permitted to sit on the box with the driver, or to use or occupy any part of the Cab, Carriage, Sleigh, or other vehicle, not being an Omnibus, without the consent of the person employing such vehicle first expressly given for that purpose.

39. All owners and drivers of Cabs, Carriages, Sleighs, Omnibuses or other vehicles licensed under this By-law, shall give all necessary information to

Police Officers of or concerning any person who is or may have been a passenger in any such vehicle and who is suspected of any criminal offence.

40. Any driver of a Cab, Carriage, Sleigh, Omnibus or other vehicle licensed under this By-law, shall, when called upon to do so, assist any Constable or other person, in the conveyance in his vehicle of any person or persons to the Hospital or elsewhere, as may be required, who may be wounded or may have met with any accident, or may have been suddenly taken ill on the street, provided such sickness is not of an infectious nature, and shall be entitled after the performance of such service to the usual fare therefor from the proper authorities.

41. Every person licensed under this By-law shall, through himself or his driver, punctually keep all his appointments, and if he shall neglect to fulfil an engagement, or shall not be punctual to the time of his engagement, he shall be subject to the penalties of this By-law; and any person ordering a Cab, Carriage, Sleigh or other vehicle, and not afterwards using the same, shall pay to the driver of such vehicle the fare that he would have been entitled to receive if the service had been performed for which he was engaged.

42. If at any time there shall be a number of Cabs, Carriages, Sleighs, Omnibuses, or other vehicles, licensed under this By-law, in any street,

square, public or private place within the said City, any Constable may give directions respecting the position of such vehicles and the direction they shall go, and every driver thereof shall immediately conform to such directions.

43. The owner or driver of any Cab, Carriage, Sleigh, Omnibus, or other vehicle, shall not be entitled to recover or receive any fare from any person or persons from whom he shall have demanded any greater price or rate than he is allowed to charge under this By-law, or to whom he has refused to exhibit his Card of the Tariff of Charges as by the Twenty-fifth section of this By-law is provided; and it shall be the duty of every Police Officer to be vigilant and active at all times in preventing extortion and overcharge by the owners or drivers of Cabs, Carriages, Sleighs, Omnibuses and other vehicles licensed under this By-law, and to be conversant with the Tariff of rates under this By-law, and any person using or driving in any such Cab, Carriage, Sleigh, Omnibus, or other vehicle, shall be at liberty at any time to call upon any Police Constable to inform him as to the proper fare to be paid for any drive or distance in question; and all Police Officers on duty at railway stations, steamboat landings, wharves and other places, shall have supervision over all Cabs, Carriages, Sleighs, Omnibuses and other vehicles licensed under this By-law, and the

owners and drivers thereof bringing passengers thereto, and in case of any dispute between the owner or driver and the party driven, as to the charge to be paid for such service, it shall be the duty of any Police Officer, on duty aforesaid, to give all the information in his power as to the amount to be paid, according to the Tariff provided by this By-law; and on all occasions when an overcharge has been made to the knowledge of any Police Constable, it shall be his duty to prosecute the offender, irrespective of the person or persons against whom the overcharge was made.

44. If any owner or driver of any Cab, Carriage, Sleigh, Omnibus or other vehicle licensed under this By-law, shall induce any person to employ him by either knowingly or wantonly misinforming, misleading or deceiving such person as to the time or place of the arrival or departure of any railway train, steamboat or other public conveyance, or the location or distance from any part of the City of any railway depot, steamboat landing, hotel, public place or private residence, or shall induce any person to employ his Cab, Carriage, Sleigh, Omnibus or other vehicle by any false representation, or shall in any manner or form, impose upon or deceive, or in any way insult, abuse or ill-treat any person employing him, he shall be subject to the penalties of this By-law as provided in Section 45.

45. Any person guilty of an infraction of any of the provisions of this By-law shall, on conviction before the Police Magistrate, or in his absence, before any Justice of the Peace having jurisdiction, forfeit and pay a fine not exceeding twenty dollars, nor less than one dollar, for each offence, and in default of payment of any fine imposed, together with costs of prosecution, it shall and may be lawful for the Police Magistrate or other Justice of the Peace, to issue his warrant to levy the amount of fine and costs by distress and sale of the offender's goods and chattels, and in case no sufficient distress to satisfy the amount of fine and costs shall be found, it shall and may be lawful for the Police Magistrate or other Justice of the Peace, to commit the offender to the common jail of the County of Wentworth for a period of not more than one month, with or without hard labor, unless the fine and costs be sooner paid.

Passed this 1st day of June, A. D. 1886.

ALEX. McKAY,
*Chairman Board of Commissioners
of Police.*

HAMILTON PUBLIC LIBRARY

Form "A," referred to in the foregoing By-law.

CAB (OR OMNIBUS) LICENSE.

License is hereby granted to
to drive Cab No. (or Omnibus No.) to be
used for the carriage of Passengers, for hire, within
the City of Hamilton, until the first day of Novem-
ber, one thousand eight hundred and for
which he has paid the sum of Dollars.

Given under authority of the Board of Commis-
sioners of Police this day of
A. D. 18

*Clerk of the Board of Commissioners
of Police.*